

## CHAPTER 1 GENERAL

[Prior to 1/9/91, City Development Board[220] Ch 1]

**263—1.1(368) Application of rules.** These rules shall be applicable to all proceedings and transactions of the city development board, hereinafter called the board. These rules shall be referred to as city development board administrative rule(s). Rules 2.1(368) to 4.5(368) shall apply to involuntary boundary changes initiated pursuant to Iowa Code sections 368.11 and 368.13.

This rule is intended to implement Iowa Code section 368.10.

**263—1.2(368) Petition for rule change.** As required by Iowa Code section 17A.7 the board prescribes the following form for petitions requesting the promulgation, amendment or repeal of the board's rules: "We, (the name of the petitioner(s)), do petition the City Development Board of the State of Iowa to (promulgate), (amend), (repeal), the rule (number of rule) to read as follows: (rule change)." Petitions shall be submitted to the board at its official address and the board shall hold an open meeting on the proposal and publish notice of the time, place and purpose of the meeting, pursuant to Iowa Code section 362.3. Parties may, prior to commencement of the meeting, file resistances to the petition for rule change, and the board may, in its discretion, allow the parties to present oral arguments relative to the motion or petition. The board shall, within 60 days after submission of a petition, either deny the petition in writing or initiate rule-making proceedings.

This rule is intended to implement Iowa Code section 17A.7.

**263—1.3(368) Public information.** The board is located at the Department of Economic Development, 200 East Grand Avenue, Des Moines, Iowa 50309, and holds its regular meetings there or at such other building in the state of Iowa the board may designate or by electronic means subject to giving proper public notice. Meetings will be held every other month at a date and time designated by the board at least three weeks prior to the date, or at other times designated by the board. The public may obtain information and make submissions or requests of the board during normal working hours. The board's manual "A Guide for Annexations and Other City Development Actions" describes the forms and instructions that are used in dealing with the board. Pursuant to Iowa Code section 22.2, the public may examine the records of the city development board.

This rule is intended to implement Iowa Code sections 17A.3, 21.9 and 22.2.

**263—1.4(368) Data.** The board shall develop and maintain statewide data on development actions taken under Iowa Code chapter 368.

This rule is intended to implement Iowa Code sections 17A.3 and 368.10.

**263—1.5(368) Quorum.** At least two members of the board shall constitute a quorum. A quorum shall be necessary for passage of any action.

This rule is intended to implement Iowa Code section 368.9.

**263—1.6(368) Minutes.** Minutes shall be kept pursuant to Iowa Code chapter 21. The minutes of any board meeting shall serve as the record of the meeting.

This rule is intended to implement Iowa Code section 21.3.

**263—1.7(368) Voluntary annexation within the urbanized area.** A request for board approval of annexation of territory within the urbanized area of a city other than the city to which the request for annexation is directed shall be initiated pursuant to Iowa Code section 368.7 and shall include the following:

**1.7(1)** The application of property owners requesting annexation, including a map of the territory showing its location in relationship to the city.

**1.7(2)** Resolution of the city council which receives the application approving the application. This resolution must contain a legal description of the territory to be annexed.

A notice of the request shall be served on the other city or cities involved.

If the board approves a voluntary annexation within the urbanized area of a city other than the city to which the request for annexation is directed, the board shall certify its proceedings to the annexing city and carry out the filing required in Iowa Code section 368.20(2). The board, in its deliberations, may take note of public documents or other evidence and shall give any interested party an opportunity to comment on any evidence taken note of either orally or in writing as the board so specifies.

This rule is intended to implement Iowa Code section 368.7.

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